

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

LINDA VAN ECK and JAN VAN ECK,  
*Plaintiffs,*

v.

AMERICAN SECURITY INSURANCE  
COMPANY, a Delaware Corporation, and  
CITIZENS BANK, NATIONAL ASSOCIATION,  
a National Association Bank,  
*Defendants.*

C.A. No. \_\_\_\_\_

**NOTICE OF REMOVAL**

Defendant Citizens Bank, N.A. (“Citizens”), with the consent of Defendant American Security Insurance Company (“ASIC”), respectfully removes this case from the Maine Superior Court, Knox County, to the United States District Court for the District of Maine.

Citizens appears for the purpose of removal only and for no other purpose, reserves all defenses and rights available to it, and states as follows:

1. Plaintiffs commenced this case against Citizens and ASIC in the Maine Superior Court, Knox County, Docket No. ROCSC-CV-2022-6.
2. On or about June 23, 2022, Citizens was served a copy of the Summons and Complaint. Pursuant to 28 U.S.C. § 1446(a), copies of the Summons and Complaint are attached hereto as **Exhibits 1 and 2**, respectively.
3. Citizens has not made an appearance in the case and has not served responsive pleadings to the Complaint, and no orders have been issued in the case.
4. In accordance with the requirements of 28 U.S.C. § 1446(b)(1), this Notice of removal is filed within 30 days of Citizens’ receipt, through service or otherwise, of a copy of

the Complaint.

5. The Action is a civil action over which this Court has original jurisdiction pursuant to 28 U.S.C. § 1331, and supplemental jurisdiction pursuant to 28 U.S.C. § 1337, and is one which may be removed to this Court pursuant to the provisions of 28 U.S.C. § 1441, in that Plaintiffs have alleged a claim arising under the laws of the United States, specifically the Eighth Count of their Complaint for “Racketeering,” which appears to be a claim that Defendants violated the United States Racketeer Influenced and Corrupt Organizations Act, 18 U.S.C. §§ 1961, *et seq.* See Compl. at pp. 12-15.

6. Pursuant to 28 U.S.C. § 1446(b)(2)(A), prior to removing this case, counsel for Citizens consulted with counsel for Defendant ASIC and obtained ASIC’s consent to the removal of this action to this Court.

7. Pursuant to 28 U.S.C. § 1446(d), Citizens promptly will file a copy of this Notice of Removal with the Clerk of the Maine Superior Court, Knox County, and will serve a copy of the same on Plaintiffs.

WHEREFORE, Citizens respectfully removes the case now pending in Maine Superior Court, Knox County, Docket No. ROCSC-CV-2022-6, to the United States District Court for the District of Maine.

Dated: July 11, 2022

Defendant,  
CITIZENS BANK, N.A.  
By its attorneys,

/s/ R. Bart Totten  
R. Bart Totten, Bar No. 9183  
Adler Pollock & Sheehan P.C.  
1 Citizens Plaza, 8<sup>th</sup> Floor  
Providence, RI 02903  
Tel: (401) 274-7200  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this 11<sup>th</sup> day of July, 2022, I electronically filed, via email to the U.S. District Court for the District of Maine, this Notice of Removal and served a copy of the same on Plaintiffs via U.S. mail, postage prepaid:

Linda Van Eck  
Jan Van Eck  
102 Main Street  
Tenants Harbor, ME 04860

/s/ R. Bart Totten